REMARKS

Initially, in the Office Action dated January 2, 2004, the Examiner rejects claims 1-42 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,386,450 (Ogasawara '450) and U.S. Patent No. 6,418,138 (Cerf et al.) in view of U.S. Patent No. 6,513,015 (Ogasawara'015).

By the present response, Applicant has amended claims 1, 27, 33 and 39 to further clarify the invention. Claims 1-42 remain pending in the present application.

Examiner Interview

Applicants thank the Examiner for the interview held on March 30, 2004. At the interview Applicants' representative discussed the limitations in the claims to help the Examiner better understand the invention, including the limitations "receiving commercial messages from the advertising server, the commercial messages being selected based on the forwarded demographic information of each of the users provided with the access to the global communication data network through the LAN; and displaying the received commercial messages on at least one display at the LAN location for viewing by all persons at said LAN location including the users provided with the access to the global communication data network through the LAN and other persons not accessing the global communication data network."

35 U.S.C. 103 Rejections

Claims 1-42 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Ogasawara '450 and Cerf et al. in view of Ogasawara '015.

Applicants respectfully traverse these rejections and re-assert all arguments submitted in Applicants' previously-filed responses.

Ogasawara '450 discloses an electronic personal shopping system communicating between a store computer and a mobile terminal, for organizing a consumer's movement through a retail facility in accordance with the customer's current location and the locations of desired items on either a shopping list or a recommended replenishment item list. The shopping list and recommended replenishment list are hosted on a customer IC card and read by a mobile shopping terminal. A price look-up table, maintained in a stored database, includes location indicia identified to each merchandise item of the stores inventory. As a product is scanned, that item's location indicia is assumed to represent a customer's current location. A desired destination item is taken from the shopping list or the recommended replenishment item list and a distance and direction metric is calculated based on the customer's current location.

Regarding claims 1, 18, 27, 33 and 39, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of these claims of, inter alia, detecting the presence of a local area network by at least one mobile device at a LAN location, the detected LAN providing wireless network access to a global communication data network, providing access to the global communication data network through a gateway of the LAN to the at least one mobile device in response to receiving demographic information about a user, receiving commercial messages

from the advertising server, the commercial messages being selected based on the forwarded demographic information of each of the users provided with the access to the global communication data network through the LAN, displaying the received commercial messages on at least one display at the LAN location for viewing by all persons at the LAN location including the users provided with the access to the global communication data network through the LAN and other persons not accessing the global communication data network, the access to the global communication data network being free to the public due to the displaying of the commercial messages on at least on display, or placing identification information for a customer into a queue, the queue identifying customers ready to purchase items selected by each customer, the customer identification information being placed on the queue in a chronological order, the contents of the queue being displayed at the commercial establishment for viewing by all persons. The Examiner asserts that Ogasawara '450 discloses detecting the presence of a local area network in the Abstract, col. 1, lines 12-17 and col. 3, lines 42-52. However, these portions of Ogasawara '450 merely disclose what has been noted previously, that the electronic personal shopping system is for locating a customer's position within a shopping store and displaying product and location information on a customer-operated mobile terminal based on the customer's position within the shopping store and that the displayed product and location information may be based on the customer's personal profile stored on a customer ID card. The Examiner further states that col. 5, lines 47-67 and col. 6, lines 1-15 show a LAN that can be connected to the mobile

terminal. However, none of these portions disclose or suggest detecting the presence of a local area network by at least one mobile device at a LAN location, the detected LAN providing wireless network access to a global communication data network, as recited in the claims of the present application. At best, Ogasawara '450 discloses, arguendo, a single local area network at a retail facility. This is not detecting the presence of a local network by at least one mobile device where the local area network provides wireless network access to a global communication data network. Ogasawara '450 does not disclose or suggest anything related to a global communication data network or a local area network providing wireless access to a global communication network to a mobile device, as recited in the claims of the present application.

The Examiner admits that Ogasawara '450 does not disclose or suggest any of the remaining limitations in the claims of the present application, and admits that Cerf et al. fails to disclose or suggest receiving demographic information about a user of at least one mobile device. The Examiner then asserts that Ogasawara '015 discloses demographic profile at col. 3, lines 50-67, Abstract, col. 4, lines 1-33 and col. 5, lines 17-37. However, these portions of Ogasawara '015 merely disclose that a visual image is taken of a customer as he enters an establishment and the customer's identification number is obtained from a customer identification card that includes demographic information whereby this information is forwarded to the commercial establishment staff allowing customer recognition. The customer information may be used to develop and display personalized assistance

recommendations or promotional item recommendations. However, this is not providing access to a global communication data network through a gateway of a LAN to at least one mobile device in response to receiving the demographic information about the user of the mobile device, as recited in the claims of the present application. These portions of Ogasawara '015 merely disclose a customer walking into an establishment whereby the establishment takes a visual image of the customer as well as gathers information about the customer via an ID card which is read with an RF device. Ogasawara '015 does not disclose or suggest requesting user identification from a mobile device where the user identification includes personal and demographic information about a user of the mobile device, or providing access to a global communication data network through a gateway of a LAN to the mobile device in response to receiving the demographic information about the user. Ogasawara '015 has nothing to do with a mobile device of a user or providing connection to a network based on receiving information about a user of a mobile device, as recited in the claims of the present application.

Moreover, the Examiner fails to cite any portions of any of the references that disclose or suggest displaying received commercial messages on at least one display at a LAN location for viewing by all persons at the LAN location including users provided with access to the global communication data network through the LAN and other persons not accessing the global communication data network. Both Ogasawara '450 and Ogasawara '015 relate to electronic shopping systems that receive information from a customer and provide information only to that particular

customer. Further, Cerf et al. merely relates to an Internet radio communication system. None of these references disclose or suggest displaying received commercial messages on a display at a LAN location for viewing by all persons at the LAN location, as recited in the claims of the present application.

Regarding claims 2-17, 19-26, 28-32, 34-38 and 40-42, dependent on one of independent claims 1, 18, 27, 33 or 39 and, therefore, are patentable at least for the same reasons noted regarding these independent claims. The Examiner fails to specifically point out where in the cited references each and every limitation in these claims is allegedly disclosed or suggested. For example, none of the cited references disclose or suggest sending payment by the advertising service to an Internet service provider for the cost of providing Internet access to the location, or monitoring when users are no longer present at the location where the monitoring is performed by a hub on the LAN.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 1-42 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

In view of the foregoing amendments and remarks, Applicants submit that claims 1-42 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (referencing attorney docket no. 0171.38896X00).

Respectfully submitted,

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